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PTO/SB/21 (04-04)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/803,569
	Filing Date	March 17, 2004
	First Named Inventor	Seamans, Scott
	Art Unit	3728
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	040130-050011US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Townsend and Townsend and Crew LLP Darin J. Gibby Reg. No. 38,464	
Signature		
Date	July 26, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
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On

July 26, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Connie Lamm

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Scott Seamans

Application No.: 10/803,569

Filed: March 17, 2004

For: FOOTWEAR MOLDS

Examiner:

Art Unit: 3728

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

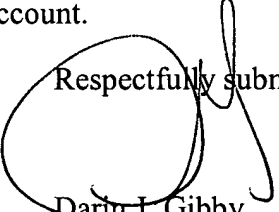
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Darin J. Gibby  
Reg. No. 38,464

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60268384 v1



<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/803,569	
			Filing Date	March 17, 2004	
			First Named Inventor	Seamans, Scott	
			Art Unit	3728	
			Examiner Name		
Sheet	1	of	2	Attorney Docket Number	040130-050011US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-			
	AB	US-			
	AC	US-			
	AD	US-			
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	AF	US-			
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AM	EP	0802039	A2	10-22-1997	Bruno Bisconti		<input type="checkbox"/>
	AN	EP	0802040	A2	10-22-1997	Bruno Bisconti		<input type="checkbox"/>
	AO	EP	0802041	A2	10-22-1997	Bruno Bisconti		<input type="checkbox"/>
	AP	EP	0884005	A1	12-16-1998	Euro Vecchiola		<input type="checkbox"/>
	AQ							<input type="checkbox"/>
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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **2** of **2****Complete if Known**

Application Number	10/803,569
Filing Date	March 17, 2004
First Named Inventor	Seamans, Scott
Art Unit	
Examiner Name	
Attorney Docket Number	040130-050011US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BC	Rhoda Miel, <i>Snowshoe walks away with best design</i> , <u>Plastics News</u> , April 22, 2002, v14, n8, p4 (2 pages).	
	BD	Luisa Zargani, <i>ONE FINE YEAR; ANTON MAGNANI'S QUIRKY DRY-SHOD DESIGNS HAVE GAINED THE ITALIAN DESIGNER RESPECT, RECOGNITION AND A DEAL WITH COMME DES GARCONS</i> , <u>Footwear News</u> , August 2, 1999, p. 102 (2 pages).	
	BE	<i>Finproject Brews an Extralight (Evasol Plastics and Finproject signed a joint venture agreement to introduce a range of new block and net-fit soles for shoes)</i> , <u>FN World</u> , August 4, 1997, v. 53, n.31, p. 8 (1 page).	
	BF	Cindy Macdonald, <i>The entrepreneurs: they're bilingual, multicultural and talented. Distance and language present no barriers to Quebec plastics processors and moldmakers as the province's plastics industry continues to increase its level of exports and welcome new companies</i> , <u>Canadian Plastics</u> , O'99, v. 57(10), pg. 35-50 (9 pages).	
	BG	<i>THE ELASTOMERS TIMES: ENGAGE ADDS COMFORT TO SPORTING COMPONENTS</i> , <u>Chemical Business NewsBase: The Elastomers Times</u> , Friday, December 1, 2000, (1 page).	
	BH	<i>COMFORTABLE WALKING</i> , <u>Italian Technology</u> , Oct., 1999, No. 3, p. 168, (abstract, 1 page).	
	BI	<i>INJECTED EVA</i> , <u>Macplas International</u> , Aug., 1999, No. 10, p. 90, (abstract, 1 page).	
	BJ	<i>WALKING ON MODIFIED EVA</i> , <u>Italian Technology</u> , May 1999, No. 2, p. 121, (abstract, 1 page).	
	BK	<i>Trade Name Record</i> , <u>Official Gazette of the US Patents and Trademarks Office</u> , 24th March 1998, 1208, No. 4, p. 73, (abstract, 1 page).	
	BL	<i>Engage® polyolefin elastomers, the critical ingredient for success</i> , DuPont Dow elastomers, Copyright @ 2000 DuPont Dow Elastomers, <a href="http://www.dupont-dow.com/engage">www.dupont-dow.com/engage</a> (12 pages).	
		<a href="http://waldenstore.com">waldenstore.com</a> , <i>Footwear. Waldies</i> , 8/4/2003, <a href="http://www.waldenstore.com/waldies.html">http://www.waldenstore.com/waldies.html</a> , (1 page).	
	BM	<i>Birkenstock®, Spring &amp; Summer 2003 Catalog</i> , Birkenstock Orthopudie GmbH, Germany.	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.